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8
9 UNITED STATES BANKRUPTCY COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SANTA ROSA DIVISION

12 In re:

13 KINGSBOROUGH ATLAS TREE
14 SURGERY, INC.

15 Debtor.

Case No. 25-10088 (WJL)

Chapter 11

15 **DECLARATION OF JACK PRAETZELLIS**
16 **IN SUPPORT OF OBJECTION TO**
17 **APPROVAL OF DISCLOSURE**
18 **STATEMENT**

19 **Hearing Information**

20 Date: August 5, 2025

Time: 9:30 a.m.

Location: 1300 Clay Street, Courtroom 220
Oakland, California

1 I, Jack Praetzellis, declare as follows:

2 1. I am an attorney licensed to practice law in the state of California and am employed
3 by the law firm Fox Rothschild LLP. The facts set forth herein are true and within the scope of my
4 personal knowledge and if called upon to do so I would testify competently to these facts. I make
5 this declaration in support of Anvil Builder's Objection to Approval of Disclosure Statement.

6 2. Attached hereto as **Exhibit 1** is a true and correct copy of excerpts from a transcript
7 of the Deposition of Todd Eisenhauer, taken July 11, 2025 (the "Eisenhauer Deposition").

8 3. Attached hereto as collective **Exhibit 2** are true and correct copy of excerpts from a
9 transcript of the Deposition of Cynthia Kingborough, taken July 11, 2025 (the "Kingborough
10 Deposition")

11 I declare under penalty of perjury under the laws of the United States of America that the
12 foregoing is true and correct and that this Declaration was executed on July 22, 2025 in the San
13 Francisco.

14
15 /s/Jack Praetzellis

16 Jack Praetzellis
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EXHIBIT 1

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SANTA ROSA DIVISION

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In re:

KINGSBOROUGH ATLAS TREE
SURGERY, INC.,
Debtor.

Case No. 25-10088 (WJL)

Remote Deposition of

TODD EISENHAUER

Friday, July 11, 2025

Reported by:
SUSAN I. STUART, CSR No. 6410
Job No. 18097

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THE COURT REPORTER: My name is Susan Stuart,
CSR Number 6410.

I will now swear in the witness.

(Whereupon the witness was
sworn in by the court reporter.)

THE COURT REPORTER: Thank you.

---o0o---

EXAMINATION BY MR. PRAETZELLIS

Q. Okay. Good morning, Mr. Eisenhauer. We met
before the deposition started. My name is Jack
Praetzellis. And, like I said, I have a strange last
name, so feel free to call me "Jack" or "counsel," I
won't take offense.

Just to begin, I think your counsel probably
went over this before the deposition, but I want to go
over some ground rules for the deposition.

The first one is you just swore an oath with
the court reporter to tell the truth.

Do you understand that that's the same oath
that you would give if you were sworn in court?

A. Yes.

Q. Okay. How are you feeling today? I ask that
question to make sure that you are feeling like you can
give your best testimony today.

1 A. No.

2 Q. Ever testified before in any kind of venue
3 whatsoever?

4 A. Not that I can recall.

5 Q. Okay. So I understand that you worked for KBA
6 for a period of time, based on what you just testified
7 to.

8 Do you have any other connections to KBA aside
9 from you having worked there?

10 A. My wife has worked there.

11 Q. Any other connections?

12 A. My -- my daughter worked there.

13 Q. Okay. And can you tell me the time frames that
14 your wife -- well, actually, strike that question.

15 Any other connections that you can think of to
16 KBA?

17 A. No.

18 Q. Okay. Can you tell me the time frame that your
19 wife and daughter worked for KBA?

20 A. My daughter for roughly, what, a year.

21 And my wife has worked there for 32 years, I
22 believe.

23 Q. And can you give me their names, please, sir?

24 A. Jamie Eisenhauer is my wife, and Hailey Coudret
25 is my daughter.

1 Q. So aside from your family working for KBA, do
2 you have any other connections to KBA?

3 A. No.

4 Q. Are you personal friends with the owners of
5 KBA?

6 A. Yes.

7 MR. TERRY: Objection. The question is vague
8 and ambiguous and overbroad.

9 But you answered it.

10 THE WITNESS: Sorry.

11 MR. TERRY: That's fine.

12 Q. BY MR. PRAETZELLIS: So just so you understand,
13 Mr. Terry may interpose objections throughout the
14 deposition from time to time. If he interposes an
15 objection, just wait for him to finish his objection and
16 then you can go ahead and answer the question. Unless
17 he says "attorney/client privilege" or something of that
18 nature, then you have to -- then you want to stop. But
19 I think if he says that, we'll both go like this to make
20 you stop answering the question.

21 Okay. So I think you said you are -- you are
22 personal friends with the owners of KBA.

23 Is that correct?

24 A. Yes.

25 Q. And how long have you -- would you consider

1 that you've been personal friends with the owners of
2 KBA?

3 A. Thirty-five years.

4 Q. So have you done social things with them?

5 A. Yes.

6 Q. Such as dinner at their house?

7 A. Yes.

8 Q. Maybe they go to your house for dinner, you go
9 out together, that kind of thing?

10 A. Yes.

11 Q. You've been to their -- their cabin in -- in
12 the mountains?

13 A. Yes.

14 Q. Do you -- are you aware of any connections that
15 you have to my client Anvil?

16 A. No.

17 Q. So you've never worked for Anvil?

18 A. No.

19 Q. Are you aware of litigation involving Anvil and
20 anybody?

21 A. Yes.

22 Q. What litigation is that?

23 A. KBA.

24 Q. Any -- can you unpack that, explain what you
25 mean?

1 MR. TERRY: I'm going to object to that as
2 overbroad, calls for a narrative.

3 Why don't you try another question.

4 Q. BY MR. PRAETZELLIS: So I asked are you aware
5 of any litigation, and you said KBA.

6 What did you mean by "KBA"?

7 A. The -- the situation between Anvil and KBA.

8 Q. And what situation is that?

9 A. That there's litigation going on between them.

10 Q. Do you know anything about any of the
11 particular details of that litigation?

12 A. I know some.

13 Q. What do you know?

14 A. I know that there's litigation between these
15 two companies right now, and I know I no longer have a
16 job.

17 Q. But you don't -- are you telling me you don't
18 know any of the details of that litigation?

19 A. Well, not -- no. No, I do not.

20 Q. So you don't know what the dispute is about at
21 all?

22 A. I know some of the -- some of the details, but
23 not everything.

24 Q. What is your understanding of the details?

25 A. That this -- this partnership or -- is not

1 Ritchie Bros."

2 Do you see that?

3 A. Yes.

4 Q. Okay. So we've -- we've sort of talked about
5 that before, but a couple follow-ups.

6 When you looked for similar equipment, was any
7 of the equipment that's being sold actually for sale on
8 any of these websites?

9 A. Yes.

10 Q. So the specific pieces of equipment that the
11 debtor is selling was also for sale on some of these
12 websites; correct?

13 A. From other people, yes.

14 Q. Yeah, yeah, of course, from other people.

15 And what were the prices that that equipment
16 was being sold for?

17 A. I -- I can't recall specific prices.

18 Q. Do you have an estimate?

19 A. It would have been similar to the prices that
20 I've given.

21 Q. So the equipment that was -- that's being sold
22 on these websites was in the same condition as the KBA
23 equipment?

24 A. I don't recall exact pieces of equipment, but
25 yes.

1 Q. What is Ritchie Bros.?

2 A. An auction house.

3 Q. And what do they -- what do they sell?

4 A. Any type of construction equipment. They're
5 the biggest auction company in the world.

6 Q. What kind of buyer premiums do they charge, if
7 you know?

8 A. Roughly ten to 15 percent.

9 Q. Is that just from equipment to equipment that
10 the premium changes or --

11 MR. TERRY: Objection. Objection. Vague,
12 ambiguous.

13 I don't understand your question when you say
14 "premium changes" or "equipment to equipment." If you
15 could try that again.

16 Q. BY MR. PRAETZELLIS: I'm just trying to
17 understand.

18 You gave me a range of buyer premium ten to
19 15 percent; correct?

20 A. Correct.

21 Q. I'm just trying to understand when it's ten
22 percent, when it's 15 percent, and when it's sometimes
23 in the middle or somewhere in the middle.

24 A. It depends on what you buy and how much. It
25 goes off value.

1 it, the cost, serial number, condition of the trailer or
2 equipment.

3 Q. Anything else?

4 MR. TERRY: Description of the equipment?

5 THE WITNESS: Yeah. The -- no.

6 Q. BY MR. PRAETZELLIS: Any other documents or
7 agreements that will be written up to consummate this
8 transaction that you're aware of?

9 A. Such as what?

10 Q. I don't know. I'm asking you if there's
11 anything else. I mean it sounds like there isn't, but I
12 just want to make sure that there's nothing else.

13 A. No.

14 Q. Okay. Has -- are you aware of whether or not
15 JCC has promised to -- to give the -- to provide
16 anything else other than that -- the money in connection
17 with the sale, any additional money to any individuals,
18 or -- yeah, let's start with that.

19 A. I'm not understanding your question.

20 Q. Yeah, sure. I guess I just want to -- JCC,
21 they're going to buy this equipment. And I want to
22 make -- so my question is, are they only paying the
23 money that is listed or are they also paying you a
24 commission or paying you a bonus if it closes or paying
25 the principals of the debtor extra money if it closes

1 or, you know, providing some consideration additional to
2 that which has been described in the sale motion?

3 A. Yes.

4 Q. They are?

5 A. Yes.

6 Q. What's that?

7 A. A percentage to myself.

8 MR. TERRY: A commission?

9 THE WITNESS: A commission.

10 Q. BY MR. PRAETZELLIS: So JCC is paying you a
11 commission?

12 A. Correct.

13 Q. And what's the commission?

14 A. Ten percent.

15 Q. And when was that arranged?

16 A. At the same time as when this was arranged.

17 Q. So it's in your financial interest for this
18 sale to close; correct?

19 A. To an extent, yes.

20 Q. Is the debtor aware that you are getting a ten
21 percent commission on this sale?

22 A. Yes.

23 Q. How was the debtor made aware of that?

24 A. Verbal.

25 Q. And when?

1 A. At the time this was put into the bankruptcy
2 court.

3 Q. Is there a reason that your declaration doesn't
4 say that?

5 MR. TERRY: Doesn't say what?

6 Q. BY MR. PRAETZELLIS: That you're receiving a
7 ten percent commission if the sale closes.

8 A. It's not from the bankruptcy court. It's from
9 JCC.

10 Q. And that's why it doesn't say that?

11 MR. TERRY: I'm going to object to that.
12 Argumentative.

13 Q. BY MR. PRAETZELLIS: You can answer the
14 question.

15 A. Could you repeat the question?

16 Q. I asked if there was a reason the declaration
17 didn't describe the commission, and I understood you to
18 say because the commission comes from JCC, not the
19 bankruptcy court.

20 A. Correct.

21 Q. And that's the reason it's not in there is
22 because JCC is paying?

23 A. Correct.

24 MR. TERRY: Well, I'm going to make a belated
25 objection to the extent it calls for a legal conclusion.

1 Anyway --

2 Q. BY MR. PRAETZELLIS: So there have been other
3 sales in this case.

4 Are you aware of those other sales of equipment
5 that's not the subject of this motion we've been
6 discussing?

7 A. Define other equipment.

8 Q. Sorry, other -- other sales of other equipment.
9 So there was a sale to Davey, I believe. And there have
10 been a few other sales.

11 Are you familiar with those?

12 A. Yes.

13 Q. Did you receive a commission for any of those
14 sales?

15 MR. TERRY: I'm going to -- I'm going to object
16 to the question. It goes beyond the scope of this
17 deposition. This deposition is with respect to the
18 Amended Motion for Authority to Sell Personal Property.
19 And to the extent that you are going to get into the
20 question of commissions on other sales, I don't think
21 that's appropriate here. We can talk about it offline
22 if you want, but I'm going to instruct him not to answer
23 that here in this proceeding.

24 I just don't -- it doesn't have anything to do
25 with the motion that your client is objecting to is the

1 basis for this -- this objection. You've gotten the
2 information that you asked for. He's advised of a
3 commission. I understand if you ask him more questions
4 about it, it's a standard commission.

5 Why it's not listed in the moving papers, you
6 know, he's not able to answer that question and I'm not
7 in a position to answer that question either. So why
8 don't we move on to another question.

9 Q. BY MR. PRAETZELLIS: So you're not going to
10 tell me whether or not you received a commission in
11 connection with other sales?

12 MR. TERRY: Yes.

13 Q. BY MR. PRAETZELLIS: You're going to follow
14 counsel's advice?

15 MR. TERRY: I'm going to instruct him not to
16 answer that question.

17 MR. PRAETZELLIS: I would just like him to say
18 he's going to follow your instruction.

19 THE WITNESS: I would follow.

20 MR. PRAETZELLIS: Actually, can we go off the
21 record for just a moment, is that all right?

22 MR. TERRY: Sure. Yeah.

23 (Break taken 11:14 to 11:36.)

24 MR. PRAETZELLIS: Okay. We are back on the
25 record.

1 Q. BY MR. PRAETZELLIS: Just to confirm, we took a
2 little break.

3 Did you talk to anybody other than your lawyer
4 during the break?

5 A. No.

6 Q. Okay. So is it customary for you to receive a
7 commission of ten percent on the sale of equipment?

8 A. It's the industry standard, yes.

9 Q. And you -- you receive that commission when you
10 participate in sales; correct?

11 A. Correct.

12 Q. Okay. And did you receive a commission of ten
13 percent on all of the other sales of the debtor's
14 equipment that have occurred in this case?

15 A. No.

16 Q. On any of the sales that have occurred in this
17 case?

18 A. Yes.

19 Q. So it's some, but not all?

20 A. Yes.

21 Q. And I just have one follow-up question on that,
22 which is, is it that you haven't been paid the
23 commission yet or it was just not agreed on some of the
24 sales?

25 A. Was not agreed.

1 Q. Okay. All right. And so your counsel and I
2 had agreed that I was going to have some limited
3 questions on that topic, and we're both reserving rights
4 to deal with it later, if necessary, so I will move on.

5 Okay. I'm looking at the eighth sentence in
6 your declaration, which says, "In my opinion the price
7 at which the Debtor is selling the trailers is the
8 market value that is more than what might be obtained at
9 an auction sale."

10 Do you see that?

11 A. Yes.

12 Q. So is there anything that we haven't discussed
13 that this opinion is based on?

14 A. I'm not understanding your question.

15 Q. So I want to -- I want to ask for the basis of
16 your opinion, but I know that in our deposition so far
17 we've talked a lot about the reasons that you came to
18 the value of the equipment.

19 And I'm wondering if there are any reasons that
20 you have that opinion that we haven't talked about so
21 far?

22 MR. TERRY: This is the opinion about the
23 selling of the equipment as opposed to an auction of the
24 equipment.

25 THE WITNESS: When you take stuff to auction,

1 Q. And is that how auction houses work --

2 A. Yes.

3 Q. -- that you're aware of?

4 A. That I'm aware of.

5 Q. Okay. Anything else that the opinion in this

6 eighth sentence is based on that we haven't talked

7 about?

8 A. No.

9 Q. And I see that it says "the trailers" in this

10 sentence, and I'm just wondering does that -- is that

11 supposed to include the light tower or not or what?

12 A. The -- the light towers were listed earlier and

13 one was for parts.

14 Q. Yeah. And I -- let me cut you off. I guess my

15 question is simply, like is this opinion supposed --

16 about the -- like the value being greater than an

17 auction, is it supposed to cover the light tower?

18 A. Yes.

19 Q. Okay. It just happens to say "trailer" and not

20 "light tower"?

21 A. Counsel wrote it up. So, yes, I must have

22 missed that.

23 Q. Okay. So this is probably a sentence that

24 counsel wrote, not you?

25 A. Correct.

1 Q. All right. Do you know if anybody else is
2 getting a commission or a cut out of this sale to JCC
3 other than you?

4 A. No.

5 Q. You don't know or nobody else is?

6 A. Nobody else is.

7 Q. Have you ever heard of Grafe Auction and Dudley
8 Resources as an auctioneer?

9 A. Yes.

10 Q. Is there a reason you didn't look at their
11 results to figure out the value of the equipment?

12 A. They don't have them listed.

13 Q. Do you know about their buyer premium and
14 seller premiums?

15 A. I know about their buyer's premium.

16 Q. Is it high?

17 A. Fifteen percent.

18 Q. Is that higher than Ritchie?

19 A. Yes.

20 Q. Do you know why it's higher?

21 A. No, I don't.

22 Q. Does a high buyer's premium discourage buyers?

23 A. Possibly. But if it's -- but if it's good
24 equipment, then -- and people need the equipment, they
25 will pay it.

1 Q. But a buyer's premium just makes it more
2 expensive for the buyer; right?

3 A. Yes.

4 Q. So if like Ritchie had a piece of equipment on
5 its -- you know, for sale with a buyer premium of ten
6 percent and Grafe had one at 15 percent, like it would
7 be cheaper to buy it from Ritchie; right?

8 A. There's -- there's many variables about that,
9 though.

10 Q. What are those?

11 A. It could be what the equipment is, where
12 it's -- where it's located. I mean there's --

13 Q. Oh, yeah, I'm sorry. It was a bad question.
14 I'm imagining the same piece of equipment. Like
15 everything is the same, the only difference is Ritchie
16 versus Grafe and the buyer's premium is ten to
17 15 percent.

18 It just means it's five percent more expensive
19 at Grafe; right?

20 A. But Dudley also possibly could have better
21 connections, better -- more interested people as opposed
22 to Ritchie Bros.

23 Q. Is Dudley bigger than Ritchie?

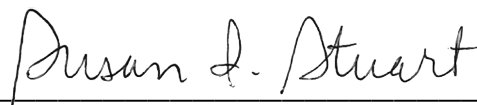
24 A. No. Ritchie is the biggest auction house in
25 the world.

REPORTER'S CERTIFICATE

I certify that the foregoing proceedings in the within-entitled cause were reported at the time and place therein named; that said proceedings were reported by me, a duly Certified Shorthand Reporter of the State of California, and were thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for either or any of the parties to said cause of action, nor in any way interested in the outcome of the cause named in said cause of action.

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of July, 2025.



SUSAN I. STUART
California CSR No. 6410

EXHIBIT 2

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SANTA ROSA DIVISION

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In re:

KINGSBOROUGH ATLAS TREE
SURGERY, INC.,

Case No. 25-10088 (WJL)

Debtor.

_____ /

Remote Deposition of
CYNTHIA KINGSBOROUGH
Friday, July 11, 2025

Reported by:
SUSAN I. STUART, CSR No. 6410
Job No. 18097

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THE COURT REPORTER: My name is Susan Stuart,
CSR Number 6410.

I will now swear in the witness.

(Whereupon the witness was
sworn in by the court reporter.)

THE COURT REPORTER: Thank you.

---o0o---

EXAMINATION BY MR. PRAETZELLIS

Q. Okay. Good afternoon, Miss Kingsborough. My
name is Jack Praetzellis. I am a lawyer for creditor
Anvil.

For the record, you sat through the prior
deposition of Mr. Eisenhower and so I'm going to try and
do the introductory piece pretty quickly so we can just
move it along and get you in and out of here. So if
I'm -- if you have questions or I'm talking too fast,
just let me know.

So you gave an oath just now to tell the truth.

Do you understand that that's the same oath you
would give if you were testifying in a court of law?

A. Yes.

Q. Is there any reason that you can't give your
best deposition testimony today?

For example, are you feeling unwell, under the

1 it to you --

2 A. Yes.

3 Q. -- before you signed it?

4 MR. TERRY: Wait for him to finish the
5 question.

6 Go ahead. Sorry about that.

7 Q. BY MR. PRAETZELLIS: It was the time that
8 Mr. Fallon e-mailed it to you before you signed it?

9 A. Yes.

10 Q. Okay. Okay. A couple questions about the
11 declaration itself.

12 Did you personally type it up?

13 A. No.

14 Q. Did you personally write any of the words in
15 this declaration?

16 A. No.

17 Q. How was it prepared?

18 A. By counsel.

19 Q. And is everything in the declaration accurate?

20 A. Yes.

21 Q. Are you aware of anything that is material
22 that's been omitted from it?

23 A. I don't understand the question.

24 Q. Are you aware of anything that is important --
25 you think is important to the sale motion that's been

1 omitted from this declaration?

2 MR. TERRY: I'm going -- strike that.
3 Objection. Overbroad, vague and ambiguous, and calls
4 for a legal conclusion.

5 But you can answer the question, if you
6 understand it.

7 THE WITNESS: I don't understand it.

8 Q. BY MR. PRAETZELLIS: Well, so I guess -- let me
9 try again.

10 This is your declaration in support of this
11 motion to sell this property; right?

12 A. Yes.

13 Q. And Mr. Fallon wrote it?

14 MR. TERRY: She said it was prepared by
15 counsel, so that's the testimony.

16 Q. BY MR. PRAETZELLIS: And it was prepared by
17 counsel; correct?

18 A. Yes.

19 Q. Okay. And what I'm asking is, do you -- do you
20 think that there's anything important to this sale
21 motion that's not included in the declaration?

22 MR. TERRY: And I'm going to object to the
23 extent it calls for a legal conclusion and it calls for
24 speculation.

25 With that objection, you can answer it if you

1 have an answer.

2 THE WITNESS: I don't think anything is
3 omitted.

4 MR. TERRY: You have to tell him.

5 THE WITNESS: I don't think anything was
6 omitted.

7 Q. BY MR. PRAETZELLIS: That's fine. Your answer
8 is "I don't think anything important was omitted,"
9 that's fine.

10 A. Okay.

11 Q. I'm just trying to establish if that's your
12 view or not.

13 Okay. So aside from talking to your counsel,
14 and I don't want to get information about that, have you
15 had any conversations about this sale motion?

16 A. No.

17 Q. Okay. Let's move on to the declaration.
18 Starting at the very top here, it says, "I, Cindy
19 Kingsborough, declare that my husband and I are the sole
20 shareholders of Kingsborough Atlas Tree Surgery, Inc.,
21 and that I am personally familiar with the statements in
22 this declaration."

23 Do you see that?

24 A. Yes.

25 Q. Do you know why it doesn't say that if called

1 testimony is not a KBA employee.

2 Is that correct?

3 A. That is correct.

4 Q. And KBA didn't compensate him to value this
5 equipment; correct?

6 A. That is correct.

7 Q. Do you have any -- to your knowledge, any other
8 information about why we should rely on Mr. Eisenhower's
9 valuation of this equipment that we haven't -- that you
10 haven't mentioned so far?

11 A. No. I think we've -- I think we've hit his
12 expertise, the reason for his expertise.

13 Q. Okay. When did the debtor learn about
14 Mr. Eisenhower's commission to be paid in connection
15 with this sale?

16 A. "The debtor" meaning --

17 Q. KBA.

18 A. -- KBA?

19 Q. KBA. When I say "KBA," I mean you or your
20 husband.

21 A. On this particular I don't know exactly when.

22 Q. Did you learn about it before the sale motion
23 got filed?

24 A. Yes.

25 Q. And Mr. Eisenhower mentioned receiving

1 commissions on other sales that have occurred in this
2 case.

3 Do you recall that testimony?

4 A. Yes.

5 Q. And did the debtor, and that means you or
6 Mr. Kingsborough, know of those commissions before those
7 sale motions got filed?

8 A. Yes.

9 Q. Okay. The second paragraph of Exhibit 3 it
10 says, "I believe the sale of the trailers Debtor no
11 longer needs will result in a benefit to the estate and
12 is therefore in the best interest of the estate."

13 Do you see that?

14 A. Yes.

15 Q. Okay. Is there any equipment that's owned by
16 the debtor that the debtor needs?

17 A. I don't understand the question. Needs?

18 Q. Well, so --

19 MR. TERRY: Needs for what? Needs for
20 operation, business operation?

21 Q. BY MR. PRAETZELLIS: Well, I'm just trying to
22 understand how this sentence -- well, maybe I'll ask it
23 another way.

24 Is this sentence true for every piece of
25 equipment that the debtor owns or has an interest in?

REPORTER'S CERTIFICATE

I certify that the foregoing proceedings in the within-entitled cause were reported at the time and place therein named; that said proceedings were reported by me, a duly Certified Shorthand Reporter of the State of California, and were thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for either or any of the parties to said cause of action, nor in any way interested in the outcome of the cause named in said cause of action.

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of July, 2025.



SUSAN I. STUART
California CSR No. 6410

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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 10250 Constellation Boulevard, Suite 900, Los Angeles, CA 90067.

A true and correct copy of the foregoing documents entitled: DECLARATION OF JACK PRAETZELLIS IN SUPPORT OF OBJECTION TO APPROVAL OF DISCLOSURE STATEMENT will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On 7/22/25, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- Jamie P. Dreher jdreher@downeybrand.com
- Michael C. Fallon fallonmc@fallonlaw.net, manders@fallonlaw.net
- Michael C. Fallon mcfallon@fallonlaw.net, manders@fallonlaw.net
- Alan W Forsley alan.forsley@flpllp.com
- Gabriel P Herrera gherrera@kmtg.com, bxiong@kmtg.com
- Paul Gregory Leahy Paul.Leahy@usdoj.gov
- Matthew P. Minser mminser@sjlawcorp.com
- Office of the U.S. Trustee / SR USTPRegion17.SF.ECF@usdoj.gov
- Jack Praetzellis jpraetzellis@foxrothschild.com, jack-praetzellis-1683@ecf.pacerpro.com
- Michael A. Sweet msweet@foxrothschild.com, michael-sweet-6337@ecf.pacerpro.com
- Philip J. Terry pjterry@cmprlaw.com, dhayes@cmprlaw.com
- Jennifer C. Wong bknotice@mccarthyholthus.com, jwong@ecf.courtdrive.com

2. **SERVED BY UNITED STATES MAIL**: On N/A, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. *Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.*

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on N/A, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. *Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.*

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

7/22/2025

Kimberly Hoang

/s/ Kimberly Hoang

Date

Printed Name

Signature